

**Notice of Allowability**

Application No.

09/900,283

Examiner

David Lazaro

Applicant(s)

TRINON ET AL.

Art Unit

2155

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 02/23/05.
2. ☒ The allowed claim(s) is/are 33-47.
3. ☒ The drawings filed on 19 March 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
David Lazaro  
May 6, 2005

***Allowable Subject Matter***

1. The following is an examiner's statement of reasons for allowance:
2. The primary reason for allowance is the incorporation of specific limitations into the independent claim directed to a method for managing impact of events of an information technology infrastructure on business services. Specifically, the following limitations were indicated as being allowable subject matter in a previous action (12/17/04): "decomposing at least one of the business services into at least one of the business transactions, wherein each of the business transactions branches to at least one site specific instance defined as a site business transaction; decomposing each of the site business transactions into at least one site application transaction; organizing each of the site application transaction into an orderly sequence; defining one of the paths for each of the site application transactions; associating to each of the site application transactions at least one first parameter to remotely submit a sample site application transaction at an associated source location of the infrastructure; associating to each of the site application transactions at least one second parameter to request the management backbone to capture related execution information for each of the sample site application transactions executed at the associated source location of the infrastructure; and defining at least one business user group as a resource dependent on at least one of the site business transactions of the at least one business service"
3. These limitations as incorporated with the subject matter claimed, including the limitations describing the configuring of a management backbone and the limitations

describing the monitoring and business impact functionality, are not found in the prior art and nor are they obvious in view of the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

5. U.S. Patent 6,859,781 by Gloor et al. "Business Method for Quality Assurance of Services" February 22, 2005. Discloses a method of assuring the quality of information technology services provided to a customer through a series of assurance reviews. Does not define a structure as claimed or similar to the claimed subject matter of the instant application.

6. U.S. Patent 6,526,387 by Ruffin et al. "Method, system and program product for determining the value of a proposed technology modification" February 25, 2003. Discloses determination of the value to an enterprise of a proposed technology modification. Resources are partitioned into segments based on any number of variables. Each segment is profiled and an opportunity score is derived based on the proposed modification. Does not define a structure as claimed or similar to the claimed subject matter of the instant application.

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7. Gramignoli et al., "A profile for the IT manager within SMEs", Proceedings of the 1999 ACM SIGCPR conference on Computer personnel research, ACM Press, pp. 200-208. Discloses background on the importance of IT management in conjunction with enterprise business strategy and financial impact.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Lazaro whose telephone number is 571-272-3986. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



David Lazaro  
May 6, 2005



Ario Etienne  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100